



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

**CITY COUNCIL AGENDA
NOVEMBER 21, 2019
REGULAR CALLED MEETING (7:00 p.m.)
Overton City Council Chambers, 1200 S. Commerce Street, Overton, TX 75684**

A. CALL TO ORDER

1. Invocation
2. Pledge of Allegiance – *U. S. flag and Texas flag (“Honor the Texas flag. I pledge allegiance to thee, Texas, one state under God, one and indivisible”)*

B. PROCLAMATION / PRESENTATIONS / RECOGNITION / ANNOUNCEMENTS

1. Mayor to issue a Proclamation for “A Day of Thanksgiving”.
2. Mayor to recognize the Overton Housing Authority and Don Eaves, Executive Director, for being recognized by the U.S. Department of Housing and Urban Development (HUD) as being a High Performer for 5 (five) years in a row with the 2019 PHAS Score of 97 out of a possible 100.

C. CITIZEN / CUSTOMER REQUESTS

1. Council to hear a request from Elsie Hollis, 212 N. Meadowbrook, regarding various City Code Violations within the city limits and requesting the City require citizens to correct these issues and enforce the codes.
2. Council to hear a request from Debbie Poole, 1311 E. Hwy 135, regarding a proposal that the City staff relocate the High Hill Sign located in the greenway at the intersection of FM 850 and SH 135 so that both signs are visible from the north (while driving South on Commerce). Expense and/or labor to be incurred by the City.

D. PUBLIC FORUM - Each individual will be allowed three (3) minutes.

Anyone wishing to speak on a posted agenda item must complete a speaker card with his/her name and address and must identify the agenda item number for which he/she would like to speak. A speaker card must be presented to Rachél Gafford, City Secretary, prior to the meeting so that the speaker may be recognized by the Chair at the appropriate time. Speakers will each be allowed a three (3) minute time period to provide comments regarding the posted agenda items for which the request to speak was submitted and may speak before or during the Council’s consideration of the agenda item.

Please be advised that by law, City Council may not respond to any comments or questions asked of them by a speaker for items not listed on the Agenda. Any response by a member of City Council or staff is limited by Texas law to a statement of specific factual information, a recitation of existing policy, or a proposal to place the subject on the agenda for a future City Council Meeting.



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

Page 2 of 5

E. APPOINTMENTS / ELECTIONS OF OFFICERS AND/OR BOARD MEMBERS

1. Council to review, interview and take action to appoint new Board Member(s) to the Overton Municipal Development Board and/or the Overton Economic Development Corporation Board

F. CONSENT AGENDA

Any or all items under Consent Agenda may be removed by the Mayor, any Council Member or the City Manager for discussion.

1. City Council to review and approve minutes from a Regular Called Meeting of the City Council October 17, 2019.
2. City Council to review and approve minutes from a Special Called Meeting of the City Council October 24, 2019.
3. City Council to review and approve minutes from a Special Canvass Meeting of the City Council November 14, 2019.

G. COMMUNITY DEVELOPMENT CASES

Council will now be seated as the Zoning Board of Adjustment

PUBLIC HEARING ITEM(S):

- **OPEN PUBLIC HEARING**

1. The City of Overton City Council seated as the Zoning Board of Adjustment will hold a public hearing on Thursday, November 21, 2019 at 7:00 p.m. at the City Hall Council Chambers located at 1200 South Commerce Street, Overton Texas, for the consideration of Nancy Williams' request, on behalf of Nancy Williams and the Robert Williams Estate, for a Special Exception (ZBA2020-01) to the City of Overton Zoning Ordinance Regulations, Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a Restaurant to be located in an Agricultural – Open Space Zoning District (AO). The subject property is a 2.035-acre tract of land out of the G Berry Survey, Rusk County, Texas. The subject property legally described by Rusk County Appraisal District as Property ID 622210, Abstract 143 of the G Berry Survey, being the same parcel of land as deeded to Nancy Williams and Robert Williams Estate in Volume 2162, Page 536 of Deed Records, Rusk County, Texas and is currently more commonly referred to as 1011 ½ Joe Lee Road, Overton, Rusk County, Texas.
 - a. Staff presentation
 - b. Applicant presentation
 - c. Public comments
 - d. Board Action



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

2. The City of Overton City Council seated as the Zoning Board of Adjustment will hold a public hearing on Thursday, November 21, 2019 at 7:00 p.m. at the City Hall Council Chambers located at 1200 South Commerce Street, Overton Texas, for the consideration of Dale Cobbs' request, for a Special Exception (ZBA2020-02) to the City of Overton Zoning Ordinance Regulations, Section 6 – Single-Family Residential Zoning District (SF) and Section 29 Allowable Land Use Table. Specifically, the applicant is seeking a Special Exception from the Zoning Ordinance Regulations which does not allow for a Manufactured Home or a Modular Home to be located in a Single-Family Residential Zoning District (SF). The subject property is a 0.400-acre tract of land legally described as Lot 8, Block 5, Rolling Hills Estates an Unrecorded Plat, Abstract Number 232 out of the H B Dance Survey, Rusk County Appraisal District Property ID 7629 as recorded in Volume 3115, Page 303, Volume 1653, Deed Records, Rusk County, Texas and is more commonly referred to as 901 South Redbud Lane, Overton, Rusk County, Texas.
 - a. Staff presentation
 - b. Applicant presentation
 - c. Public comments
 - d. Board Action

• **CLOSE PUBLIC HEARING**

Council will now be reseated as the City Council

H. BUSINESS

1. Hear and consider action regarding authorization to purchase a portable marquee sign for the Greenway to advertise non-profit and community informational events at the four-way intersection of Henderson & Commerce Streets.
2. Presentation of Emergency Management Services monthly reports for the previous month.
 - a. Champion EMS report
 - b. Overton Volunteer Fire Department report
3. Vernon Hughes, 7527 N CR 132, a residence located outside the Overton city limits, request to not be charged the Utility Rates for Residences Outside the Overton City Limits (double rate) for all three (3) utility accounts for his residence and rental units located on the same property which is located outside of the Overton city limits.
4. Discuss and consider action regarding proposed Personnel Policy changes to include revisions to the following chapters:
 - a. Chapter 2 – Quit without notice
 - b. Chapter 4 – Compensatory Time
 - c. Chapter 6 – PTO and Comp Time
 - d. Appendix A - Definitions
5. Discuss the addition and issuance of City Council email accounts to be used for Council communications.



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

6. Discuss and consider action authorizing the City Manager to enter into an agreement to with a text messaging archiving software vendor.
7. Discuss and consider action regarding the plans for redevelopment and beautification of Kennemar Square into a City Park.
8. Discuss and consider action to approve sending participants to the upcoming TML Newly Elected Officials workshop.
9. Discuss and consider taking action regarding a Resolution authorizing the casting of the City's 41 (Forty-One) entitlement votes for a seat on the Board of Directors of the Rusk County Appraisal District for the 2020-2021 term of office.
10. Consider, discuss and/or take action regarding a Resolution by the City of Overton, Texas, ("City") responding to the application of Centerpoint Energy Resources Corp., Beaumont/East Texas Division, to increase rates under the gas reliability infrastructure program; suspending the effective date of this rate application for forty-five days; authorizing the city to continue to participate in a coalition of cities known as the "Alliance Of Centerpoint Municipalities"; requiring the reimbursement of costs; determining that the meeting at which the resolution was adopted complied with the Texas Open Meetings Act; making such other findings and provisions related to the subject; and declaring an effective date.
11. Discuss and consider action regarding an Ordinance to amend Ordinance No. 2017.10.19A regarding the appointment and compensation of an Interim City Manager.
12. Discuss and consider action to appoint an Interim City Manager for FY 2020 and to set said compensation for said Interim City Manager duties.
13. Discuss and consider action to direct staff regarding repeal of the Ordinance adopting and requiring building permits and how this would impact the Zoning and Related Ordinances.

I. FUTURE MEETINGS

1. Present revised upcoming meetings and events schedule.
 - a. Mayor to receive request, if any, for leave of absence from any Council Member for future meetings.
2. Discuss and consider action to approve participants in upcoming webinar regarding Open Meetings Act Update: Walking Quorums.

J. CITY ADMINISTRATION'S MONTHLY REPORTS

City Council to hear and/or act if necessary, on the following items:

1. Administration Monthly Reports
 - a. City Manager's Report
 - b. Police Department Report
 - c. Code Compliance/Enforcement Report
 - d. Municipal Cemetery Report
 - e. Community Development Report
 - f. Public Works Department Report



CITY OF OVERTON

1200 South Commerce Street ★ Overton, TX 75684 ★ 903.834.3171 ★ www.cityofoverton.com

- 2. Finance Monthly Reports
 - a. City Controller's Report
 - b. Accounts Payable Check Register
 - c. Statement of Revenue and Expenditures by Fund
 - d. Monthly Bank Statement
 - e. Overton Economic Development Corporation (OEDC) expenditures over \$50K

K. ADJOURNMENT

Prepared and posted this the 18th day of November, 2019, by 7:00 p.m. in accordance with Chapter 551, Texas Government Code.


 Rachél Gafford, TRMC, CITY SECRETARY



Note: The City Council for the City of Overton reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with attorney), 551.072 (Deliberations about Real Property), 551.073 (Deliberation About Security Devices), 551.074 (Personnel), and 551.087 (Deliberations regarding Economic Development negotiations).

Persons with disabilities who plan to attend this public meeting and who may need auxiliary aid or services are requested to contact the City of Overton forty-eight (48) hours in advance at 903-834-3171, and reasonable accommodation's will be made for assistance. This facility is wheelchair accessible and accessible parking spaces are available.

CERTIFICATION

I, Rachél Gafford, TRMC, City Secretary of the City of Overton, Texas do hereby certify that notice of the above meeting with the agenda of items to be considered by the City Council was removed by me from the bulletin board outside of City Hall.

REMOVED FROM BULLETIN BOARD:

Date	Time	Rachél Gafford, TRMC, CITY SECRETARY